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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

PESIN, BORIS M

ART UNIT	PAPER NUMBER
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2174

DATE MAILED: 07/09/2004

5

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/839,822

Applicant(s)

CORNELIUS, WILLIAM L.

Examiner

Boris Pesin

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 4/12/2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

Response to Request for Reexamination

1. This communication is responsive to the Applicant response filed 4/12/2004.
2. Claims 1- 20 are pending in this application. Claims 1, 11, and 18 are independent claims. In the response, none of the claims were amended.
3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2, 3, 6, 11, and 18-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Akpa (US 5914676).

In regards to claim 1, Akpa teaches a display (i.e. Figure 4, Element 56); a plurality of user-accessible input points configured to generate input point signals in response to being accessed by a user (i.e. "the microprocessor 44 is connected to each of the plurality of keys 12-26 and 32-42 for sensing when one of such keys is depressed and controlling a corresponding function" Column 1, Line 55); an electronic readable memory device comprising descriptions of selected ones of the plurality of user-accessible input points in a plurality of languages (i.e. "Each screen 56 is capable of

displaying a label of the special function of the key in a plurality of different languages." Column 2, Line 39); and a processor configured to associate an input point signal from an input point with a corresponding description of the input point in a preselected one of the plurality of languages and to display the description on the display (i.e. "The microprocessor further controls the PROM 54 and the LCD driver 50 to read out display information in a given language from the PROM 54 and supply the read out display information to the LCD driver 50 for displaying labels of a given language on the displays 56 of each of the keybuttons 58." Column 2, Line 59).

In regards to claim 2, Akpa teaches an apparatus wherein the display is configured to display the description in a dot matrix text format (i.e. "keys 32 to 42 each have keybuttons 58 with changeable labels in the form of liquid crystal display (LCD) screens 56" Column 2, Line 36).

In regards to claim 3, Akpa teaches an apparatus wherein: the electronic readable memory device is characterized by memory address locations (i.e. "The PROM 54 stores label data in a plurality of different languages for each of the keys 32 to 42." Column 2, Line 53, It is inherent that the PROM (a type of memory) consists of memory address locations); descriptions of the user-accessible input points are associated with selected memory address locations (i.e. "The PROM 54 stores label data in a plurality of different languages for each of the keys 32 to 42." Column 2, Line 53, It is inherent that the different descriptions are associated with the addresses, otherwise they could not be retrieved.); the memory address locations of the preselected language are stored in a separate description memory address location (i.e.

"The PROM 54 stores label data in a plurality of different languages for each of the keys 32 to 42." Column 2, Line 53, It is inherent that addresses are stored individually separate from other memory addresses.); and the processor is configured to associate the descriptions of the input points by accessing the description memory address location (i.e. "The PROM 54 stores label data in a plurality of different languages for each of the keys 32 to 42." Column 2, Line 53).

In regards to claim 6, Akpa teaches an apparatus wherein one of the selected ones of the user input points comprises a user assist input point, and wherein the corresponding description of the user assist input point in the preselected language is a message informing the user how to access descriptions of the remaining selected ones of the plurality of user-accessible input points (i.e. "More particularly, the microprocessor 44 can be programmed by a user of the mobile phone by depressing one or more of the plurality of keys 12, 26, 36 to display on a general display screen (not shown) language choices for the LCD screens 56 and, in response to a selection of a particular language as indicated by the user depressing one or more of the plurality of keys, to read out the display information in the language selected by the user from the PROM 54 and supply the read out display information to the LCD driver 50. Thus, the selection of the display language can be conveniently done by the phone's manufacturer, distributor, or end user." Column 2, Line 67 – Column 3, Line 9).

Claim 11 is the same context as claim 1; therefore it is rejected under similar rationale.

In regards to claim 18, the difference between claim 1 and 18 is that claim 18 talks about local languages and claim 1 talks about preselected languages. Since one can conjecture that a local language can be a preselected one, claim 18 is in the same context as claim 1, and is therefore rejected under similar rationale.

In regards to claim 19, Akpa's invention discloses corresponding marking in the proximity to the associated user input point, and wherein the markings are not local language descriptions of the user input points. (Figure 2, Element 12, since the keypad has outlines of buttons on the display, the outline is the marking to identify the input points).

In regards to claim 20, the difference between claim 6 and 20 is that claim 20 talks about local languages and claim 6 talks about preselected languages. Since one can conjecture that a local language can be a preselected one, claim 20 is in the same context as claim 6, and is therefore rejected under similar rationale.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 4 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Akpa (US 5914676).

In regards to claim 4, Akpa teaches all the limitations of claim 3. Akpa does not specifically teach an apparatus further comprising an access connection in communication with the processor, the access connection configured to receive signals from an external access device to thereby store the memory address locations of the preselected language in the separate description memory address location, and wherein the external access device does not comprise part of the document processing apparatus, and further wherein the memory address locations of the preselected language can only be stored in the separate description memory address location by the external access device. However, Akpa does teach an internal access connection (i.e. "The microprocessor 44 can be programmed by a user of the mobile phone by depressing one or more of the plurality of keys. More particularly, the microprocessor 44 can be programmed by a user of the mobile phone by depressing one or more of the plurality of keys 12, 26, 36 to display on a general display screen (not shown) language choices for the LCD screens 56 and, in response to a selection of a particular language

as indicated by the user depressing one or more of the plurality of keys, to read out the display information in the language selected by the user from the PROM 54 and supply the read out display information to the LCD driver 50." Column 2, Line 65 – Column 3, Line 9). Official notice is given that it is well known in the art to add an external access device (such as a keyboard) to an apparatus. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Akpa and add an external access device with the motivation to provide the user with an easier way of selecting the language they want to display.

In regards to claim 9, Akpa teaches all the limitations of claim 1. Akpa does not specifically teach an apparatus and further comprising an access connection in communication with the processor, the access connection configured to receive signals from an external access device to thereby determine the preselected language. However, Akpa does teach an internal access connection (i.e. "The microprocessor 44 can be programmed by a user of the mobile phone by depressing one or more of the plurality of keys. More particularly, the microprocessor 44 can be programmed by a user of the mobile phone by depressing one or more of the plurality of keys 12, 26, 36 to display on a general display screen (not shown) language choices for the LCD screens 56 and, in response to a selection of a particular language as indicated by the user depressing one or more of the plurality of keys, to read out the display information in the language selected by the user from the PROM 54 and supply the read out display information to the LCD driver 50." Column 2, Line 65 – Column 3, Line 9). Official notice is given that it is well known in the art to add an external access device (such as

a keyboard) to an apparatus. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Akpa and add an external access device with the motivation to provide the user with an easier way of selecting the language they want to display.

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Akpa (US 5914676) in view of Beers (US 5007008).

In regards to claim 5, Akpa teaches all the limitations of claim 1. He does not teach an apparatus further comprising an electronic timer, and wherein: in response to being accessed by a user, an input point generates the input point signal for a duration of time equal to the time the input point is accessed; the electronic timer is configured to measure the duration of time the input point is accessed; and, the processor is further configured to associate the input point signal with the corresponding description of the input point in the preselected language when a preselected duration of time is measured by the timer. Beers teaches an apparatus that measures the duration of an input signal generated by an apparatus and if the measured time is greater than a preselected duration, an action is taken ("Other predetermined patterns are also possible, such as the duration of the initial key press. For example, which key action is executed may depend on whether the duration of the initial key press exceeds the pending period. Key actions that may be performed include executing a function, displaying a symbol, or other desired operations." Column 2, Line 33). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify

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Akpa with the teachings of Beers and include a timer to time the signal of the keypress and based on the time take a certain action with the motivation to eliminate erroneous key presses, and make sure the key entries are more reliable.

Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Akpa (US 5914676) in view of Gulley et al. (US 5790652).

In regards to claim 7, Akpa teaches all the limitations of claim 6. Akpa does not teach the limitation of having a processor configured in such a way that when the user assist input point and one of the remaining input point are simultaneously accessed by a user, the description in the preselected language which is displayed by the processor is the description of the one of the remaining selected input points. Gulley teaches that it is possible "for two or more buttons to be presses simultaneously to create special effects [i.e. a description], in the same way that simultaneous key presses on a computer keyboard may be assigned special significance." (Column 9, Line 16). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Akpa with the teaching on Gulley to include the ability to display a description on the display with the motivation to provide for more information to the user of what the information is and to give the input points more functionality.

Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Akpa (US 5914676) in view of Matsuda (JP11053941).

In regards to claim 8, Akpa teaches all the limitations of claim 1. Akpa lacks the limitation of an electronic timer, wherein the electronic timer is configured to measure the duration of time the description of the input point is displayed, and the processor is further configured to stop the display of the description when a preselected duration of time is measured by the timer. Matsuda teaches that, "The turn off time for the display screen is preliminarily stored in a screen deleting time setting part, so that the screen timer part can turn off the display screen by referring to the stored time." (Solution, Line 5). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Akpa with Matsuda to include a timer that determines for how long the screen has been displayed, and then turns it off after a set period of time, with the motivation to provide for power consumption.

Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Akpa (US 5914676) in view of Jacobs (US 5768142).

In regards to claim 10, Akpa teaches all the limitations of claim 1. Akpa does not teach the limitation of having selected user inputs defined by a first group of user input points and a second group of user input points, and wherein the first group of user input points comprise a first user assist input point, the second group of user input points comprise a second user assist input point in the preselected language is a message particular to the first group of user input points, and the corresponding descriptions of the second user assist input point in the preselected language is a message particular to the second group of user input points. Jacobs teaches that,

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"When any of these help buttons is pressed, a menu of help screens is displayed and the customer is invited to select one or more of the screens that he wishes to see."

(Column 16, Line 60). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Akpa with Jacobs to include a method to show the descriptions of the particular help buttons (i.e. user assist input points) with the motivation to provide for better help functionally to the user in order to make the GUI easier to use and more comprehensible.

Claims 12-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Akpa (US 5914676) in view of Cohen (US 6507352).

In regards to claim 12, Akpa teaches all the limitations of claim 11. He further teaches the method of providing a plurality of descriptions of the user input points in a plurality of languages. Akpa does not teach a way of selecting the local language descriptions of the user input points as descriptions to be accessed in response to a user accessing an input point. Cohen teaches that his invention has the functionality of selecting the local language descriptions of the user input points as descriptions to be accessed in response to a user accessing an input point (Figure 50, Element 602). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Akpa with the teaching of Cohen with the motivation provided for increasing the ease of use of the system (Cohen, Column 1, Line 62).

In regards to claim 13, predetermined period of time is interpreted by the examiner to mean any period of time. Akpa teaches all the limitations of claim 11.

Akpa does not teach displaying a description of the input point after a predetermined period of time. Cohen teaches that the local language description of the user input point is only displayed after the user has accessed the user input point for a period of time. (Figure 50, Element 648 and 602, when the user presses on element 648 the description with more choices come up in element 602). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Akpa with the teachings of Cohen with the motivation to make available a convenient way of providing information.

In regards to claim 14, predetermined period of time is interpreted by the examiner to mean any period of time. Akpa teaches all the limitations of claim 11. Akpa does not teach a method for turning off the display after some period of time. Cohen teaches that his invention ceases to display to the user the local language description of the user input point after a predetermined, or any, period of time (i.e. sleep, Column 9, Line 23). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Akpa with the teachings of Cohen and include a method to stop displaying descriptions on the screen with the motivation provided for conserving energy.

In regards to claim 15, Akpa teaches all the limitations of claim 11. Akpa does not teach the limitations of ceasing to display something after another button is pressed. Cohen teaches that his invention ceases to display to the user the local language description of the user input point when the user accesses another user input point (Figure 49 and 50, when one presses the Language button on figure 49, the screen

changes to Figure 50). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Akpa with the teachings of Cohen with the motivation provided for having a convenient way of switching between different screens of information.

In regards to claim 16, Akpa teaches all the limitations of claim 11. Akpa does not teach the limitations of designating a user input point as a help button and having the help button assist the user in accessing the other input buttons. Cohen teaches a user input point as a user assist input point (i.e. help button, Figure 50, element 644), and wherein the descriptions of the user assist input point comprises instructions to the user for accessing descriptions of the remaining user input points (Figure 50, Element 644). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Akpa with the teaching of Cohen with the motivation provided for increasing the ease of use of the system (Cohen, Column 1, Line 62).

Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable Akpa (US 5914676) and Cohen et al. (US 6507352) in view of Gulley et. al. (US 5790652).

In regards to claim 17, Akpa and Cohen teach all the limitations of claim 16. He further teaches that after a user assist input point is accessed by the user, the local language description of the user input point is displayed only after the user has accessed the user input point for a predetermined period of time (Figure 50, Element 602 and 664). Akpa and Cohen do not teach the functionality of simultaneously

accessing the user assist input point and a second user input point in order to display the local language description of the second user input point. Gulley teaches that it is possible "for two or more buttons to be pressed simultaneously to create special effects [i.e. a description], in the same way that simultaneous key presses on a computer keyboard may be assigned special significance." (Column 9, Line 16). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Akpa and Cohen with the teaching on Gulley to include the ability to display a description on the display after several buttons have been pressed simultaneously with the motivation to provide for more information to the user of what the information is and provide more functionality to the buttons.

Response to Arguments

Applicant's arguments with respect to claim 1-20 have been considered but are moot in view of the new ground(s) of rejection.

Inquiry

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Boris Pesin whose telephone number is (703) 305-8774. The examiner can normally be reached on Monday-Friday except every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached on (703) 308-0640. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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